

HOUSE BILL 1001  
By Johnson R

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 13 and Title 10, Chapter 7, Part 5, relative to registration of instruments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 10, Chapter 7, Part 5, is amended by adding the following as a new, appropriately designated section:

Section 10-7-5\_\_.

(a) If a social security number is or has been included in a court file, such number may be included as part of the court record available for public inspection and copying unless redaction is requested by the holder of such number, or by the holder's attorney or legal guardian, in a signed, legibly written request specifying the case name, case number, document heading, and page number.

(b) The request must be delivered by mail, facsimile, electronic transmission, or in person to the clerk of the court. The clerk of the court does not have a duty to inquire beyond the written request to verify the identity of a person requesting redaction.

(c) A fee equal to the fee paid to record the court record may be charged for the redaction of a social security number.

SECTION 2. Tennessee Code Annotated, Section 8-13-107, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b) Notwithstanding the provisions of subsection (a) to the contrary, any instrument which has been voluntarily filed for registration may be withdrawn by the person who originally filed such instrument upon payment of the fee which would be charged to file such instrument on the date of the withdrawal request. For purposes of this section, "voluntarily filed for registration" means a document that was not filed pursuant to a requirement of law, contract, or court order.

SECTION 3. This act shall take effect on July 1, 2003, the public welfare requiring it.